BOMBAY GAZETTE.

"Nothing extenuate, nor set down aught in Malice."

PUBLISHED THRICE A WEEK, ON EVERY MONDAY, WEDNESDAY, AND FRIDAY, MORNING.

Price 13 Rupees Per Quarter:—52 Rupees Per Annum;—or, if paid in Advance, 48 Rupees Per Annum.

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CHARGES FOR ADVERTISEMENTS IN THE BOMBAY GAZETTE.

6 Annas per line, with the customary abatement to the Trade.
For others the charges are:
6 Annas per line for a first insertion.
3 do. do. for a second do.
2 do. do. for a third do.
The same being in immediately succeeding papers.
Under ten lines, 4 Rupees.

NOTICE.

THE Public are hereby informed, that the BOMBAY GAZETTE PRESS has been removed from the late Premises No. 5, Forbes Street, and is now occupying the Premises in Apollo Street, Old Admiralty House, opposite the Bombay Chamber of Commerce and Exchange Rooms, where all communications to the Editor will be received.—Bombay, 5th April 1841.

BOMBAY GAZETTE OVERLAND DISPATCH.

WHICH will contain a Precis of Indian Intelligence for the past Month.

The Public and Subscribers to the Gazette are informed that an Overland Monthly Dispatch, will be published at this Office for the present and every succeeding Mail—to Subscribers of the Gazette, *Gratis*.—Non-Subscribers one Rupee per Copy and to Subscribers for the above alone Rs. 10 per Annum, in England £1. 1s.

The Outstation Subscribers to the *Bombay Gazette* are hereby informed that if they will favor the Editor with the names of the Parties in England to whom they wish their Overland Gazette to be sent, they will be forwarded punctually through the Post Office here by each Steamer.

No Postage is levied by the Falmouth route and by Marseilles Two-pence.

Agents in England, Messrs. Grindlay, Christian and Matthews, 16, Cornhill, and 8, St. Martin's place, Charing Cross.

Bombay Gazette Office, Apollo Street, Old Admiralty House.

THE SUBSCRIBERS to the GAZETTE are requested that whenever a change of residence or Station may take place, they will be pleased to give information of the same, in order, to prevent mistakes in forwarding their Newspaper.

COPPER PLATE PRINTING.

THE LADIES and GENTLEMEN of the Presidency and the Public in general are hereby informed, that VISITING and INVITATION CARDS will be neatly executed and on reasonable terms at this Office.

All orders for Copper Plate Engraving and Card Printing addressed to the Printer of this Paper will be carefully attended to.

TO THE ARMY AND NAVY.

THE following Works are for Sale and to be had on application at this Office.

MARRYAT'S CODE OF SIGNALS, Sixth Edition, of the 1st, 2nd, and 3rd Parts, with the Supplement to the above, and also the Honorable Company's Steamers and Ships of War, corrected and enlarged with considerable alterations and additions..... Rs. 2

Report of the Commissioners for Inquiring into the Naval and Military Promotion and Retirement..... Rs. 2

Proceedings of a General Court Martial held at Fort George on Captain D. G. DUFF, 16th Regt. N. I..... Rs. 1

BOMBAY SPORTING MAGAZINE.

MANY applications having been made to the EDITOR of this Journal, and promises of assistance given to get up a *Sporting Magazine*, It is hereby announced that the 1st No. of the Bombay Sporting Magazine was published on the 20th of March, and No. 2 will appear in June. The price to Subscribers is 12 Rupees a year, single numbers 2 Rupees. Communications will be thankfully received.

FOR SALE.—A few copies of the "CEYLON MAGAZINE" from No. 1 to 8, for September, October and April, Price 3 Rupees per Copy.—Apply at the Bombay Gazette Office.

Gentlemen desirous of becoming Subscribers to the above Periodical will be pleased to communicate the same to the Editor by letter post paid.

FOR SALE, at the Gazette Office;

Respondentia Bonds, each	Rs.	1
Ship's Articles	,,	1
Policies of Insurance	,,	1
Bills of Exchange, per set	Ans.	8
Interest Bonds	,,	8
Bills of Lading	,,	8
Powers of Attorney, each	,,	8

FOR SALE.

BUILDING MATERIALS.

FRAMJEE SORABJEE AND CO. will Sell by Public Auction on the Premises at 4 P. M. on Saturday next the 1st of May, the two small Bungalows standing within the Court-yard of the Premises lately known by the name of the Sailors' Home on the verge of the Esplanade near the Dhobees' Tauk.

The Doors and Windows which are all made of teak wood and Substantial, are recommended to the attention of Builders and others.

The Bungalows may be seen on application to Mr. C. Augusto, Architect.

CONDITIONS.

The Lots will be knocked down to the highest bidder.

A deposit of (25) per Cent, Twenty five per Cent, to be immediately paid, and the remainder of the Purchase money repaid within (3) days from the day of sale. Failing which payment, the lots will be resold at the risk of the Purchaser, and the deposit forfeited.

All the above materials to be removed within (20) Twenty days from the date of the Sale, at the expence of the Purchaser.

(Signed) J. VAUPELL.

Bombay, 27th April 1841.

COMMISSION JEWELLERY.

MESSRS. R. FRITH AND Co, have received for Commission Sale, ex "*Buckinghamshire*" the following LONDON MADE JEWELLERY, all of the latest Fashion, and all warranted, viz.

Gold Lever and Horizontal Hunting Watches	Rupees 190 to 230
Ladies' Open Faced Watches	150
Silver Flat Hunting Watches, London made	100
Newest Fashion Fine Gold Guard Chains 70 to	120
Gentlemen's Seals, Keys, and Brequet Chains to match	25 to 40
Do. Silver Guard Chains	15

New Fashion Breast Pins, Shirt Studs, Signet Rings, and a few spare Patent Brequet Gold Watch Keys.

Ladies Fine Gold Neck Chains in Morocco case	130 to 160
Do. do. Earrings most elegant design	50
Do. do Fancy Brooches	20
Ladies Elegant Gold Rings with real Stones most tastefully set	20 to 30

The above articles will only remain on shew for a limited period and are priced at a small advance on the original cost.

FOR SALE.

A BUNGALOW on the Esplanade, containing three apartments, with a detached Bungalow, Stabling for 5 Horses, 2 Coach-houses, Cook Room, Out houses, &c. &c. Also; 1 Chesnut Horse 14—3 inches in height aged 6, quiet and fast in single and double Harness, price..... Rs. 500

1 Grey Arab Saddle Horse recently arrived from Bushire ,, 500

1 Bay Buggy Horse, quiet and fast ,, 300

For further particulars, apply to

FRAMJEE NASSERWANJEE.

Bombay, 28th April 1841.

SALE OF STUD HORSES.

TO be sold by Public Auction, by the Commissariat department at Poona on Tuesday the 4th May 1841, ten Stud colts, some of which are blemished, and some undersized, of the latter a few are calculated to make valuable weight carrying nacks.

By order,
M. STACK,
Major, Supt. Govt. Stud.

25th April 1841.

NOTICE.

SORABJEE BHICAJEE and RUTTONJEE FURDOONJEE have been this day admitted into Partnership with the undersigned as Auctioneers and Commission Agents, and their business will henceforth be conducted under the name and Firm of ALLEN AND Co.

C. W. ALLEN.

Bombay, 19th April 1841.

With reference to the above, Messrs ALLEN AND Co. beg leave to announce that their Rooms in Apollo Street are now open for the reception of Goods.

20th April 1841.

BOMBAY PRICE CURRENT PRESS.

PAMPHLETS, CIRCULARS, &c. neatly printed at the PRICE CURRENT and MERCANTILE REGISTER PRESS on moderate Terms.

Apollo Street, 28th April 1841.

BEER.

FOR SALE At the GODOWNS of Messrs. FORBES AND Co.—Allsopp's Beer of October Brew now landing from the *William Sharples*, at Rs. 70 per Hhd.

Also, a small quantity of London Particular Madeira from Messrs Keirs and Co. in Pipes, Hhds. and Quarter Casks at Rupees 580 300, & 150.

Bombay, 28th April 1841.

FOR SALE.

A WELL KNOWN high Caste ARAB HORSE, has been constantly ridden by a LADY. Color a Silver Grey and is well suited for a CHARGER.

Enquire of HORMUSJEE BYRAMJEE near the Main Guard Fort.

BEER.

MESSRS. WOOLER AND CO. beg their constituents at Outstations, will lose no time in favoring them with orders, for their Monsoon Stock of Supplies

Also, as they are now preparing for their annual Stock of Beers, early intimation, as to the QUANTITY and MAKER, required for the ensuing Season, is particularly requested.

Bombay Green, April 28th 1841.

SHERRY.

TO be had at the Godowns of the undersigned, Superior Sherry in Wood from the House of *Apalatagui and Co.*, of Xeres.

In Butts at	Rs.	550
Hhd. at	"	300
Quarter Cask	"	150
In Quart Bottles per dozen	"	18

WILLIAM AND THOMAS EDMOND & Co.

Rampart Row, 21st April 1841.

GENERAL ORDERS.

BY THE COMMANDER IN CHIEF.

Head Quarters, Mahableshwar, 14th April 1841.

A Field order by Major General G. B. Brooks, dated Camp Kujjuck the 9th March 1841, nominating Assistant Surgeon Deas, to assume medical charge of the 6th Regiment Native Infantry, is confirmed.

The following Officer has leave of absence:

24th Regt. N. I.—Lieutenant G. Stack, from 20th April to 10th May, to proceed to Bombay, for the purpose of undergoing an examination in the Mahratta language.

Head Quarters, Mahableshwar, 16th April 1841.

The general officer commanding the Poona Division of the Army, will be pleased to detach a Captain, 2 Subalterns, and a proportion of Non-commissioned officers from the 2nd Regiment European Light Infantry, to the Presidency, for the purpose of accompanying the Recruits daily expected to arrive on the Ship *Donna Pascoa*, on the march from Bombay to Poona.

Second Lieutenants C. B. Fuller, Edward Wray, and J. G. Lightfoot of the Artillery, lately arrived from England, are directed to proceed and join the Head Quarters of the 1st Battalion at Ahmednuggur.

With reference to the G. G. O. (No. 232 of 1841) dated the 12th instant, Acting Corporal N. Nue is directed to join the Head Quarters of the Sappers and Miners at Poona.

An Order by Lieut-Colonel G. J. Wilson, dated Aden the 11th March 1841, appointing Private Lewis of the 1st Bombay European Regiment, Chaplain's Clerk at that station from the 3d of that month, is confirmed.

The following Field Orders by Major General G. B. Brooks, Commanding the Scinde Force, are confirmed.

Dated Dadur the 20th March 1841, directing Assistant Surgeon Knight to accompany and afford medical aid to the Detachments of the 1st Gr. Regiment N. I. and Golundauze, on their march to Sukkur, and on his arrival there to replace himself under the Orders of Captain Carless, Commanding the Indus Steam Flotilla.

Dated the 22d March 1841, appointing Gunners John Chambers and Josiah Box of the 3d Company 1st Battalion Artillery, Laboratory men in the Depot at Dadur.

The following Officer has leave of absence.

Staff.—Capt. T. Donnelly, Asst. Adjt. Genl. Scinde Force, from 15th March to 31st May, on medical certificate to proceed to Kurrachee.

Head Quarters, Mahableshwar, 17th April 1841.

The undermentioned young Officers recently appointed to Regiments serving in Upper Scinde, and who have reported their arrival at the Presidency, are attached to do duty with the 8th Regiment N. I. at Kurrachee, until a suitable opportunity offers for their proceeding to join their respective Regiments and directed to join.

J. W. Schneider, 2d Gr. Regiment N. I.
R. Bainbrigge, 23d Regiment N. I.
D. Bourchier, 25th Regiment N. I.
W. Pirie, 1st Gr. Regiment N. I.
J. A. S. Faulkner, 6th Regiment N. I.
A. P. Barker, 21st Regiment N. I.

The leave of absence granted to Ensign J. Wray of the 24th Regiment N. I. in G. O. C. (No. 3) dated the 24th ultimo, is cancelled at that Officer's request.

The following Officer has leave of absence.

3d Troop Horse Artillery.—Capt. J. M. Martin, from 16th April, to 30th April, On medical certificate to proceed to Mahableshwar.

By order of His Excellency the Commander in Chief
(Signed) STRATFORD POWELL. Lieut-Col.
Adjt. Genl. of the Army.

Military Arrivals and Departures.

ARRIVALS.

April 25th.—Bt. Capt. Edwards, 2d M. Cavy. from Jaulnah.
do 26th Lieut H. Thackwell, H M. 22nd Regt. from Cannanore.
do. do. Asst. Surgeon J. C. Fallen, Madras Army, from England.

DEPARTURES.

April 27th Lieut. W. H. Tanner, 42d Regt. M. N. I. to Hoossingabad.
do. do. Surgeon R. Brown, E. G. Hospital to Egypt.
do. do. Capt. Harris, Engineers, to Aden.
do. do. Capt. D. C. Graham, Bheel corps to Aden.

Domestic Occurrences.

MARRIED.—On 26th Inst at Christ Church, Byculla, by the Rev. W. K. Fletchere A. M Henry Cormack, Esq. to Eliza, daughter of Michael Remington Esq. of Bideford, Devon, and late of Stepney Green, near London.

NOTIFICATION.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to dispatch a Steamer, with a Mail for Suez, on Saturday the 1st of May next.

By order of the Hon'ble the Governor in Council,
P. M. MELVILLE, Lieut. Col.
Secretary to Government.

Bombay Castle, 12th March 1841.

Notice is hereby given, that it is the intention of the Honorable the Governor in Council, to despatch a Steamer, with the Mail to Suez, on Saturday the 23rd May.

It is also intended to despatch a Steam Frigate with the Overland-mail, via Suez, on Saturday the 19th June, and again on Monday the 19th July; but Passengers cannot be accommodated in the usual manner, on these occasions.

The despatch of the ordinary monthly Packets will recommence on Wednesday the 1st September.

By order of the Hon'ble the Governor in Council,
P. M. MELVILLE, Lieut. Col.
Secretary to Government.

Bombay Castle, 31st March 1841.

Shipping Arrivals and Departures.

ARRIVALS.

April 25th, The E. I. C. Cutter Nurbudda, Canujee Dewa Syrang from Surat

Ditt: The Portuguese Brig of war Gentel Libertadora, Bernardino Portugal de Graca Capt. from Demaun. *Passengers.*—1 Major of Portuguese army and 4 Natives.

26th, Barque Clarissa G. Andree, Master, from Calcutta left Sandheads 20th Feb. Madras 11th March, and Cochin 6th Inst. *Passengers.*—Mrs. Andree and family.

Do. Ship Good Success, W. Fraser, Master, from Manilla 26th Feb. Singapore 7th March. *Passenger.*—C. Munchatorre Esq.

SAILED

April 26th, Ship Kusrovie, J. B. Jackson, Master, to Singapore and Siam

Do. The E. I. C. Cutter Nurbudda, Hooson Coorjee Syrang, to a Cruize.

Shipping in the Harbour.

H. C. VESSELS.	E. I. C. STEAMERS.
Receiving Ship Hastings.	Berenice.
BRIG.	Sesostris
SCHOONERS.	Hugh Lindsay.
Taptee.	Medusa.
Royal Tiger.	Zenobia.
Pallinurus.	Indus.
Tigris.	
Emily.	
CUTTER.	
Margaret.	
Nerbudda.	

Merchant Vessels.

ENGLISH.

Rossanna.	Charles Dumergue.
Earl of Balcarras.	Wave.
Rothschild.	William Gillies.
Sharples.	Bucephalus.
Countess of Loudon.	Martha Ridgway.
Donna Pascoa.	Buckinghamshire.
	Alexander Baring.
COUNTRY.	
Charles Grant.	Dawlut Savoy.
Cauderbux.	Malik-ool-Bahr.
Pittambur Savoy.	Cursetjee Cawasjee.
Caroline.	Shaw Allum.
Essavie.	John.
Masia.	Futhel Barry.
Ruby	Brigand.
Fanny.	Dadaboy.
Hydroose.	Solomon Shaw.
Alexander Robertson	Memnon.
Ruparell.	Acasta.
Hamoody.	Midas.
Caroline.	Juda Rahimon.
Sophia.	Lord Amherst.
Lady Grant.	Caledonia.
Rutier.	Emily.
Drongan.	Amity.
Roopaulay.	Adelaide
Cavalier.	Harriet Scott,
Yacht Prince Regent.	

FRENCH.	PORTUGUESE.
LaAdele.	Brig (War) Cassador Africano.
Brig LeDeux.	Brig Novo Viagente.
ARAB.	
Harsingar.	
Ludease.	
Hamoodshaw.	
Haze Kaebree	

CORRESPONDENCE.

[FOR THE BOMBAY GAZETTE.]

From the Chronicles of the Wars of the Cats & Mice.

It happened that a colony of rats and mice, which had long been established on the shores of Yabmob once upon a time sent forth, some of its members towards the fertile countries which border the river Sudni.

There, after having overrun the fields, eaten up the crops, and driven the half starved miserable mice out of the place they had so long occupied, the new-comers remained as Masters and found to eat and drink in plenty at Rekkus.

After a time, however, they discovered that in the neighbouring hills lived a fierce race of cats of the Eerrum species, which, through their cunning and ability in the destruction of rats and mice, had hitherto kept their most desirable fields and crops from spoliation. Being of a braver race than their predecessors, the invading rats and mice held consultation together, and after much research, having heard that among the Hills was a hole called Nuhak, which would afford good shelter, and from which they could with facility go forth and devour the produce of the neighbouring fields, it was decided that so good a chance should not be neglected, and that a portion of the community, under the leadership of a mouse, among mice, called Nworb, should immediately set out.

The Eerrum cats not having been properly on the watch, were thus taken by surprise and allowed the mouse Nworb and his mice to reach Nuhak, not however without having laid their paws on many a mouse. Once arrived, the mice immediately took refuge into the hole of Nuhak, which from its small size, defied entrance to any cat in the world, were he ever so skilful, and so felt themselves secure.

The chief of Eerrum cats called Eerrum Hadod, however, was a wily old cat, and seeing the mouse Nworb and his mice in their hole, knew well that there they must stay, so he sent a cat called Nakh Ummug to watch over the hole of Nuhak, saying to him, "be sure to pounce upon the first mouse who shews his nose out of the hole."

Now Nworb was a wise mouse, and was impressed with a due fear of the Eerrum cats; so he not only kept snugly within his hole himself, but caused all other mice to do so, and they all continued to live in safety. After a time, however, the terrible cat still watching the hole, their little stock of provisions began to diminish, whereupon Nworb reduced the allowance of grain to each. This was severely felt by the mice who were accustomed to fill their bellies, so they grumbled, but Nworb told them as a brave leader should do, to keep quiet, and that very soon the cat Nahk Ummug would go away, or their friends in Rekkus would come in numbers to their relief, and drive him off. But Nahk Ummug still sat watching the hole, and still the mice dared not shew their noses. At last, the Rats and mice in Rukkus feeling alarmed for Nworb and his mice, determined valiantly to relieve him, and set forth in numbers for that purpose, being led by a mouse of great fame called Nrobbilc. But the Eerrum cats hearing of this, assembled at a place called Ksoofun, and there they pounced upon the unfortunate rats and mice, and slaughtered so many, that the rest were glad to escape with life. The cats never had had such a feast before, though they purchased it dearly, as many chief cats were bit to death. The mouse Nworb peeped out from his hole and saw the destruction which the cats were dealing among his fellow mice, but, as we said before, he was a prudent mouse, and kept within his hole, knowing full well that if he shewed himself he would forthwith be swallowed up by the cat, and for this did he deserve much credit; so he continued with his mice eating little, & growing gradually thin but wisely preferring this to the alternative of being devoured by the cats.—One day, Nahk Ummug, thoroughly gorged, fell asleep at some distance, leaving a bone near the hole; Nworb seing this, valiantly sent some mice forward, who having seized this bone, brought it into the hole—and upon this they fed for some time more.

Nahk Ummug who had now been five months watching this hole of Nuhak, in which the mice so bravery remained, began to get tired of his watch.—So he one day called out to Nworb saying, "I am weary of this, if thou wilt with thy mice quit that hole, and rejoin thy fellow mice at Rekkus, promising never to come here again, I will undertake that not a paw shall be laid on thee or thine by the tribe of Eerrum cats, and that thou shalt reach Rekkus in safety." Nworb gladly assented. Nahk Ummug kept his word, and it was a strange sight to see the band of mice thus guarded by the cats of Eerrum. At Rekkus Nworb and his mice were welcomed by their friends, who were mightily astonished to see him so sleek after all they had heard of empty bellies.

When tidings of these things reached the big rat of all, who lived in Yabmob, forthwith he assembled the large rats who formed his council and said, "Verily, the mouse Nworb has done "great things, he lived in a hole at Nuhak for "five months, during part of which time, his "belly was only half filled, and this did he bravely "submit to, sooner than allow himself to be "devoured by the Eerrum cats. In truth we "must reward him." So they immediately issued a notification to the whole race of rats and mice, saying, that the mouse Nworb and his mice have lived in the small hole of Nuhak for five months with unfilled bellies! That this was very wonderful—no case more wonderful being on record!—That this hole had been maintained by Nworb right valiantly. That he had constantly refused to quit the hole when asked by the cats to do so, until he found he had only little left to eat. And in order to testify his admiration (the big rat's) of the gallantry, prudence, and perseverance, which distinguished the conduct of the mouse Nworb, in refusing, so obstinately refusing to allow himself to be devoured by the Eerrum cats, that the word "Nuhak" should be inscribed on a little banner used in the family of Nworb, &c. &c.

Great was the repute in which Nworb now found himself. Some said that the big rat of all had said, that he should be marked in addition with the letters C and B, which among mice is a great distinction. He was moreover invited to dine with a numerous company of mice at Halucyb, on which occasion a large rat, a considerable orator of this species, made a long speech proving all that we have said before and much more, which he, (the rat) after the fashion of speech making rats, sent to the papers—altogether it was exceeding great.

But among the old mice there were some who said "what does all this mean?" In our early days such things were not, Nworb and his mice did not eat their belly full for some time; this was hard; their minds had suffered from the fear so long before them of being devoured by the cats—this was equally hard. They should now

* When did the Cats try to get in? *

in recompense be sent to some place of plenty where they would eat and fatten in peace—but what means this prodigality of honours, which hitherto have never been granted but for great and valiant deeds. The heroe mice who took Matapagnires had not more honor bestowed upon them—what, because a few mice prefer a little starvation to being devoured by cats, and stick to their hole, is this a reason why the highest honors should be bestowed upon them? Is not self-preservation inherent to mouse nature? What mouse willingly gives up its throat that it may be ate? No! rewards the most ample should be granted to those who suffer from hardships, but let there be a distinction between the rewards accorded to the most brilliant deeds and achievements on record, and those given for mere patience and endurance under privations, or else they become of no value.

TO THE EDITOR OF THE BOMBAY GAZETTE.

SIR,—Will you allow me to enquire, through the Columns of your valuable Paper, to what part of Abyssinia the Gentlemen referred to, by your contemporary the *Courier*, are about to be sent by Government? I ask the question, because I am informed that Abyssinia is rather an extensive country, and from all the enquiries which I have made it my peculiar business to institute, I am led to believe, that the real destination of Capt. Harris and his gallant associates, is Gondar, the ancient capital of Abyssinia, the object of their mission being to assist the monks in their laudable endeavours, to restore the descendant of Shem, who has been so unjustly deposed by the Mahommedan usurper. The six pieces of Artillery, mentioned by the *Courier*, would have been a valuable aid in bringing about a result so devoutly to be wished, but unfortunately they are not to be sent. Another important object of the mission is to establish, in supersession of Aden, a coal depot on the extensive Island of Massowah, where a valuable coal mine has been discovered by an enterprising Frenchman—any further authentic intelligence regarding this truly interesting mission will be most acceptable to

Yours truly,
P. PRY.

"Nothing extenuate, nor set down aught in Malice."

THE GAZETTE.

Wednesday, April 28, 1841.

THE Philosophy of Duelling has been laid down in the columns of our Brother of the Courier with much pomp, on the Trial of the Earl of Cardigan. In point of sagacity and precedent it has only been equalled by the learned article which appeared some time ago in the columns of the Times, headed "The Philosophy of Public Meetings." That article met with as much consideration as we presume this will do from the Public. The general language which has been used on this occasion, leaves the question much in the state, that we presume the opinions of the author are liable to be altered according to the energy of the mind which comes in contact either with it or him. That we may not be supposed to cavil at his article, we would merely quote the following passage: "Some, viewing "the subject calmly and mode-"rately, consider the result not "only what might naturally have "been expected, but also what "might justly and equitably have "been desired." Now, here is generalization with a vengeance, we refer to the article itself for further generalities. The intellect that could suppose that either praise or dispraise could be bestowed on the VERDICT of the House of Lords, can only be equalled by the tortuous views which characterize the whole article, for neither praise nor dispraise could be lavished on the Verdict of the House of Lords, any more than it could be on a Verdict which might be given by a Jury at the direction of the C. J. of the Queen's Bench. The Verdict was given in accordance to the Law, and that Law was laid down by the highest Criminal Judge in the Country, suggested on behalf of the Prisoner by the late Solicitor, and acceded to on the part of the Prosecutiou by the present Attorney General of England. The Peers had no alternative but to give a verdict according to the Law as it existed; if that Law be wrong, it is for the Legislature to alter it, but not for any one branch of that Legislature in its Judicial capacity to presume to depart from it. We think, therefore, with great deference to the Editor of the Courier and his friends, who praise and dispraise, that no other Verdict could have been given. With regard to duelling—we would with great submission ask, in which of the nations of Europe is duelling most prevalent? Is it not in England, or France, or Germany? Are these the nations lowest in the scale of intellect, moral feeling, education, and personal bravery? Where is it less rare? In Spain, Portugal, and in the Italian states—what is the consequence? Is it not notorious that assassination stalks abroad with her midnight cloak and murderous dagger—is it not notorious that private enmity is only concealed until the purse of the murderer finds Ducats or Pistoles enough to fill the red hand of the assassin? Where the open, manly brow of indignation is never seen, to resent the affront of insolence, but when the placid tranquillity of the cowardly, lurking spirit, under the semblance of calmness, only awaits the fitting moment of employing the hand of another. We must confess that we would rather see Duelling exist with all its concomitant evils, than witness its destruction, and instead of the secret use of the knife or perchance the piosoned chalice and so banish the manly front which now characterizes the subjects of the British Empire. So long as man is prone to take offence; so as long as there aremen inclined by the malice or presumption of their nature to give that offence, and that the desire of avenging an insult prevails in the human breast, so long must legislatures rather tolerate personal combat, than by attempting to suppress it give rise to the assassiuations of the States to which we have alluded. The Legislative suggestions of our brother of the Courier touch a man's pocket, but he who could swallow an insult and forbear to avenge it on the consideration of the rupees he would have to pay for indulging his inclinations, would not hesitate to hire the carcase of another instead of exposing his own. The best part of the argument, however, and the most amusing is, that of the Doctor who is to stand by and see a limb shattered or a liver pierced, all in hopes of mending the holes and then to back out of being a particeps criminis, by turning King's evidence. With regard to our contemporary's remark on the Verdict of the Duke of Cleveland, when he says, "We have seldom heard a more ridiculous expression." We must say that we do not coincide with him. If there had been anything illegal in the verdict of the Duke of Cleveland, the Lord High Steward would have objected to receive that verdict. How the wisdom of our contemporary could find anything ridiculous in a verdict which Lord Denman, the Chief Criminal Judge of the Empire, received as legal, sitting in the House of Peers, can only be accounted by the utter ignorance he has displayed of the constitution of the House of Lords, sitting in its judicial capacity. We can imagine that the impression in the Duke of Cleveland's mind was, that the Prisoner was guilty of shooting at Captain Tuckett, although either by a defect in the evidence, or an error of the indictment, he was not justified in saying the Prisoner was legally guilty. In a fastidious and highly honorable mind, the nicest distinctions will be drawn in the guilt or innocence of a party, but it is the high honor and principle of the Duke of Cleveland which led him to express distinctly the ground on which he founded his verdict. When the noble Duke used the word legally, he conveyed at once to the House of Peers and to the Empire, the distinction which he had drawn.

WE have received our Calcutta Papers of the 16th of April, and in the columns of the Englishman find some account of the proceedings of the Committee on the Provisions sent for the use of the Expedition to China. "The Englishman" argues, that the Provisions were good and well preserved, and quotes the reports of the commissioners on the subject. This may be all very well, and we know that Troops in bad climates will die on any provision even the freshest and best, while in others any kind of food will be received with thankfulness, and agree with every stomach. In our opinion the fault lies in the climate, not the food, and that our Troops would have been subject to all the maladies prevalent where swampy ground, malaria, and bad lodging are to be encountered even if they had feastedon the best of fresh provision From what we have heard, there is no fault to be found. The fact is, the mortality of the Troops has been owing to what has paralyzed the whole of our proceedings in that quarter, viz. inactivity. A vigorous war would not have exhibited half such a list of casualties. "Procrastination" has not only (as the copy books say) been "The thief of Time" in this instance, but the fruitful source of disease and death. Alas! alas! for our vacillating policy in China,—when will its effects not be felt?

OUR respected Governor, Sir James Carnac, and family, embarked yesterday Evening at ½ past 5, on board the Steam Frigate Auckland for England—a line of Troops was formed from the Apollo Gate to the Bunder, and through this attended by all the leaders of the European and Native community, he passed to the Vessel. We have never seen greater emotion evinced on the part of allassembled, while his Excellency was evidently affected more than words can express. A salvo of Artillery announced his arrival on board, and many a fervent aspiration was breathed that our good Governor may derive every benefit to his health from a change to his Native Country, and we have no doubt one of his most pleasurable recollections will be the open and manifested regret of his friends, on his leaving the the Apollo Bunder Head on the 27th of April 1841.

A number of the Calcutta and Madras Journals have attacked the proceedings of "The Great Contempt Case" of Bombay, and carried away by the clamour of an attack on the liberty of the Press, have taken the quasi popular side of the question. The Mercantile Communities of the three Presidencies are a most potential class, and in the case alluded to, we may say with Mr. Puff in the Critic—

"When they do agree upon the stage (Queen's Court) the unanimity is wonderful."

There is but one piece of fallacy which requires to be exposed, which is the idea "that there was an attempt to coerce the liberty of the Press." In the first place we take leave to deny the position. The press was not attacked, but was the assailant—As has been well said by one of the counsel on the occasion "It was Merchants', "Papers, taking up a Merchants "quarrel."

A House, of agency, highly and justly respected, did, in a Court of Justice, do that which was informal and irregular. In such affairs some one must be the active party, & unfortunately the youngest Partner of that house appeared as the prominent person. The Judge, in his place, animadverted on the proceeding and recorded his observations but not, as we conceive, intending an attack on the individual gentleman. The firm, of which he was a member, determined to see if they could not drive the judge into their way of thinking, but failing in their object, appealed to the Press, and published all the proceedings at their own proper cost. The Merchants' Papers, the Times and Courier, instantly set themselves in battle array against the judge, and in terms, which, as far as regards the Times, were even pronounced contemptuous by its own Junior Counsel. But the fact is, that in the articles alluded to, the dignity and majesty of a Court of Justice seemed to be forgotten, and an attempt made to impute private motives to the Head of the Law. To return to the original point of dispute.—"Can it be supposed that the Chief Justice had any personal pique against the House of Forbes & Co. that he expressed himself so strongly as he did? We believe no one attempts to accuse him of anything of the sort. He saw a legitimate subject of animadversion, and censured when he thought it was required. For this he was attacked personally by the Merchants' Papers—and because he thought it necessary to the dignity of the Court to take notice thereof, he is blamed, although, by his proceedings, he evinced the greatest leniency even when most hotly assaulted. He vindicated his Court, and being above the storm of public opinion, allowed the pitiless pelting at himself to pass by him "like the idle wind." Had the Chief Justice used his power tyrannously, or even gone the lengths which the Law allowed, there might be some reason for the cry of "the Press is in danger." We deny however that there is any greater danger likely to accrue to the Press here, than at home. Libels and Contempt are pretty severely visited in the Court of Queen's Bench, and yet no one thinks of storming about the liberty of the Press. Liberty is deservedly dear to every Briton, but even in England liberty is restrained by Law lest it should degenerate into licentiousness, then why should a clamour be raised here when the Press assails the Chief legal authority, and attempts to exercise a power above the Law, under the watchward of Liberty of the Press, and it is found that the authority who is attacked defends his Office from a sense of what is due to the dignity of his Station, and not from any vindictive feelings appertaining to self.

NORTH WEST PROVINCES.

AGRA UKHBAR, APRIL 17.

Agra.—The gentlemen of the Civil Service belonging to the station, give a Ball to the Lieutenant-Governor on the 20th instant. Captain Rutherford, Military Secretary, proceeded this week to the Mussooree hills.

Colonel Tapp, we learn, resigned the Political Agency of Subathoo, and will be succeeded by the Hon'ble Mr. Erskine, C. S. The change will be gratifying to the residents at Simla, to whom the gallant Colonel made himself less agreeable than he might.

The remaining portion of the Sipree Contingent wa to leave Sipree on the 20th, for Jhansi.

A singular robbery was committed a few days since at Muttra. A pair of carriage horses (Mares) belongin to Capt. Lawrenson of the Horse Artillery, were taken from that gentleman's stables, and have not since been heard of! The state of the Muttra police, bad enough to allow of such a theft, must be singularly inefficient, if it escape detection.

The Nuwab of Rampoor has with great liberality, subscribed Rs. 2,500 towards the projected School at Bareilly, and a similar sum to the Dispensary at that place.

A letter from Mussoorie of the 13th instant says, that Lal Tebah, one of the Government bungalows at Landour, had been struck by lightning and burnt. This is the second time this building has been destroyed in a similar way. Mussoorie is at present dull, but the climate delightfully cool. People are congregating from all quarters, and before the end of this month the place will be full. Spinsters promise to be plentiful and cheap this season, no less than 15, of all descriptions, being expected.

By a letter received this afternoon we learn that the Faqueer Uzeezoodeen was lately accidentally wounded at Lahore. He was seated in Durbar near a chieftain, who wore a sharp tulwar, half the blade of which was without a sheath. As the Fuqueer was in the act of rising the sword caught him, inflicting a severe cut in the leg from which a lock-jaw was apprehended.

CALCUTTA.

HURKARU, APRIL 15.

We are very glad to hear, that Mr Turton has been appointed to the Registraship of the Supreme Court, in the place of Mr. Dickens, who has resigned the appointment and joined the mercantile firm of Fergusson, Brothers. We congratulate Mr. Turton, the more especially as the state of his health has long rendered it advisable, that he should relax a little from his onerous professional duties, and we suppose, that we may congratulate the Bar in general, on the withdrawal from the forensic arena of so eminent and successful a counsel.

We learn, by letters of the 31 instant, from Feerozpoor, that there is *some* doubt whether or not the 60th will, after all, be sent to Caboo', and much more whether (if it be indeed sent,) it will be the only corps delegated to escort the treasure.

It is said, that Colonel Tulloch, the Commandant of that Regiment, is "strong in the belief," that a corps from Loodhiana will be employed for this duty; and, we are assured, that such, too, is the opinion of Brigadier Paul, whose judgment in this matter is the better worthy of confidence, that he would bring to the consideration of the question, a mind probably but little interested, (certainly he would be in no wise *personally* interested) in the decision that may ultimately be arrived at;—for it cannot be a matter of moment to him whether the 60th be pushed on from Feerozpoor, and there replaced by some corps from Loodhiana, Kurnaul, or elsewhere, or whether one of these latter sources supply the corps for escort duty to Cabool. Further, the Brigadier is likely to be more in the secrets of his official superiors than Colonel Tulloch, whose *wish*, by the way, must be "father to the thought," that instead of proceeding to Cabool, he will remain to share in the honour of an *exodus* to Gobind Gurh. Be this how it may, the chances (as well as the General Orders) are decided in favour of a proportionable force of Cavalry being appointed to accompany the Infantry that takes on the treasure,—treasure, be it observed, which might not be the less acceptable to the soldiery of the Punjab, that it consists of goodly bars of *unalloyed gold!* "We still hear," says one of our correspondents, "constant trumblings of the volcano at Herat! Please Heavens it will soon give evidence that Todd was not wrong after all! In other words, *may we have a skrimage there in November.*

From a Bareilly letter, dated 7th instant, we learn that the 4th Regt. N. I., from Gorukhpoor, marched in on the 31, after as pleasant a march as Oudh roads, heavy rains, and indifferent carriage would admit. In spite of the violent rains occasionally mingled with hail, the crops generally appeared to sustain little damage.

At Lukhnow the 4th were hospitably entertained by the 29th Mess; and a similar festivity awaited them here at that of the 6th N. I.

The Irregular Cavalry, from Sultanpoor, Oudh, marched on the 5th in progress to Bareilly, and a report prevailed that the 21st were about to move North West from Moradabad, which it is said will be occupied by a wing from Bareilly.

A bungalow, the property of Capt. Vincent, of the 8th, was burnt to the ground on the 1st. There is no want of houses, however, at present; although they will doubtless, all be occupied on the arrival of the Cavalry.

The weather, owing to the rain, was delightfully cool: the grass is quite green still, and tatties and punkahs are spoken of as remote possibilities only.

FRIEND OF INDIA, APRIL 15.

Lord Auckland's Minute on Education.—(*Second Notice.*) We resume this important subject with the dismissal of Mr. Adm's Plan for the improvement of indigenous Schools and Teachers. Lord Auckland justly characteriz-s the Report of Mr. Adam as "valuable and intelligent," and feelingly observes, that it painfully impressed the mind, with "the low state of of instruction as it exists amongst the immense masses of the Indian population."

It does so indeed. The state of instruction amongst the *masses* can scarcely be lower, where there are letters at all. And the state of instruction is the state of intelligence, the state of moral preception, the state of social and political well being: which are all at the lowest possible ebb together. And every postponement of the amelioration of the first is a postponement the emelioration in them all—and in every thing in which a people can be benefited. Whilst therefore we only play with national education, we are trifling with whatever is most dear—is most urgent in humanity.

Of all this his Lordship is most sensible. But in proportion the satisfaction inspired by the evidence his minutes affords that he is so, must be our disappointment and mortification to find even him asserting, that the period has not yet arrived when Government can join in attempts to correct the lamentable evils of popular ignorance, with reasonable hope of practical good. Why has not this period arrived?

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Because, " The small stock of knowledge which can now be given in Elementary Schools will of itself do little for the advancement of the people." " The first step must be to diffuse wider information, and better sentiments amongst the upper and middle classes, for * * as scheme of general instruction can only be perfect, as it comprehends a regularly progressive provision for higher tuition." In European States, there is a complete series of Universities, Academies and small local schools all connected in a combined plan of instruction: but the extension of the plan to the perish or village school has been the last stage, " as must naturally have been the case in the national progress." Mr. Adam's plan of raising able pupils from the Village to the Zillah School could not immediately have effect. We are still but forming our Upper Institutions.

Such, in brief, is his Lordship's argument. But we would venture to urge, that the smallest possible stock of knowledge which could be given, in any elementary schools, decently organized and conducted, would be infinite service of people. Suppose these schools were instituted in such numbers as to afford instruction to a tenth part of the rising generation, and so this proportion of our future population were endowed with the self respect, and the mutual respect inseparable from being *bookmen*, though of a humble standard,—men who could read and write—more would be done than can be calculated for raising the moral tone of the popular mind. But why should so little account be made of the knowledge communicated in elementary schools? Elementary knowledge must be communicated whether in elementary schools or great seminaries: and, in fact, three fourths perhaps of the cost of our present costly Seminaries go for the communication of this same small stock of knowledge, which might be afforded so much more cheaply and extensively in schools of less pretention. Elementary schools are wanted even more for perfecting our higher Institutions, than these are needed to complete the course which is begun below. Sir J. R Grnac, in his letter on Native education, has hit the mark well. " In instructing them (the people) in their vernacular languages," he says " we are raising them up the first step of the ladder of enlightenment." Nothing can be more true: and to attempt reaching the higher step without taking the first, would be futile.

It has been asserted that in the Europe, the parish or the village school has been the last stage in popular education. We think that this will scarcely be found to have been the case. In England it was found towards the close of the last century, that the Universities, endowed Grammar Schools, the higher Institutions for the middle and upper classes, after ages of experience and influence, had done exceedingly little for enlightening the upper ranks, and nothing at all for the multitude. Philanthrophy then began the work *de novo*, and first covered the land with thousands on thousands of those, one day in a week, most elementary of all schools, the Sunday schools. These prepared a demand for more thorough education; which was supplied by the rival systems of the Lancaster and Bell Schools. The vigour and animation throw into the business of teaching by these reacted upon the private seminaries for the middle ranks, and caused them either to be transformed, or supplanted by Proprietory Schools, so as to do for the rich what had first been done for the poor. Then to crown all, the same order of philanthropists who had begun the work, consummated it, by founding the London University (now University College), and were again imitated by their competitors in the establishment of King's College; and now the example has spread its contagion to Durham, Birmingham, Hudders, field, Liverpool, and we know not how far besides. That we take to be the precedent of English popular education? and there is nature and wisdom shewn in every step of it. If we mean to do any thing for educating the people of India we must being at the same end of the business. Nothing convinces us of this more strongly, than the experience of the Education Committee; of which we shall have more to say here after.

But even in putting side Mr. Adam's Report and Plan, Lord Auckland uses language that is in some measure consolatory. He peaks as if general vernacular education was a thing really to be kept in view, actually to be undertaken at a future day; and he records his opinion, that when it comes to be tried, " the arrangement for introducing it should be on a liberal and effective scale," What is still more encouraging, he seems to stipulate for but two pre-requisites for the Commencement of the undertaking—the preparation of a series of vernacular class books, whose utility shall be established by practice; and the command of a thoroughly zealous and qualified superintendence. Will Government then give us a distinct promise of popular, vernacular education " on a liberal and effective scale," as soon as these conditions can be realized? On our bended knees, as Lord Brougham would say, we implore the bestowal of that promise. And were it given, we would consecrate our best faculties and all our influence to secure its early fulfilment.

But since his Lordship at the Head of the Government, chalks out the course that should be pursued so distinctly, why will he not with the authority of Government put the business in train for accomplishment? An adequate series of vernacular school books is a thing of not moderate extent, and in no way very unattainable. Let the execution of it be committed to fit persons for superintendence—to Gentlemen who both understand what are the real *desiderata* in school literature in any language, and are capable by familiar and scholar like use to judge of the value of composition in our Indian vernaculars. Let them proceed to draw out a full and consistent scheme of intruction, and then seek out for duly qualified individuals to furnish the several parts. And if they set about their work with honest zeal, every difficulty will soon vanish before them. The Education Committee seem to have neither inclination nor facilities for the task, and it would be idle to commit it to them. Indeed it may be pleaded that it is unreasonable to expect the accomplishment of such a task from a body so constituted Their educational duties are to most, if not all, of the members, but an incidental supplement to an otherwise full measure of care and toil. They are not therefore the persons to do this work.

As to a thoroughly zealous and qualified superintendence, we have no fear of its being obtained when it comes to be looked for. A beginning might be made in Calcutt with great ease. The Bengalee Patshala might be affiliated with the Sungskrit College, on the plan we proposed last week; and if a gentleman of enlightened mind, and well acquainted with Bengalee, were put in charge of it, he would soon acquire all the experience requisit for a much larger charge, and at the same time bring on a body of infrior superintendents to co-operate with. Let a beginning be made, and some time or other we shall see the consummation.

HURKARU, APRIL 16,

It is narrated, of Vanbrugh, the architect of Marlborough's national edifice, that when obstructed in the progress of his work by the irregular payments of his workmen, he practised one of his own comic plots to put the debts on the hero himself.

Now we know not whether Sowun Mul, the kardar of Mooltan has ever yet penned a Hindoo comedy, but we dare declare that he has wit enough to do so—(and we know of *no* modern Hindoo comedy that does *not** *teem* with wit)—and we think the majority of our readers will concur in this opinion, when they learn with what a sublolous ingenuity he lately turned the tables on four thousand of his refractory troops.

Thus runs the tale, which has just reached us from Lahore. Of the four Regiments under his immediate *command*, there was not one that would obey his *orders*. So for the last two months he had stopped their *talub*. However, on the 29 h of last month, they rose, as troops *will* do sometimes, when they dare, and in terms that savoured less of the *sauviter in modo* than the *fortiter in re*, assured their Commandant that they must either have four months' pay, then and there, or give him an unexpected passage from this sublunary world. Having every faith in the word of these gentlemen, especially whenever they were pledged to a serious undertaking like the one in question, and having withal no pressing occasion for their services in that way, Sowun Mul complied with their request, and not only distributed among them five lakhs of rupees, but considerately granted them two months leave of absence to their homes—an indulgence of which they gladly availed themselves.

They of course deposited their arms in the arsenal, as a usual preliminary to going on leave, and they had no sooner got well out of the city, then Sowun Mul assembled a handful of his friends, and all his more trusty personal servants—these latter amounting to a good round number—and sallied forth, like a knight of " Eld," in search of adventures. He diverged from the direct route from *Mooltaa Khas* towards Lahore, (which had been adopted by the majority of the rebels) for the purpose of increasing his force, which he did at the small towns of Fazul-ka-koth and Khanga-Shah-Mookee, where detachments of other troops were stationed.

He at the same time sent messengers in all directions, to warn the Zumeendars and others, that they were to seize all travelling seikhs that they might find, with this further injunction, that they were to behead (" Sir *wursinna*," in the dialect of the country,) every mother's son of them objecting to the investiture of " barees."

He himself, with his augmented force, pushed on with all speed, and fell in with the unarmed rebels midway between Rind and Tiggur. They made no resistance—the thing came on them like a thunder clap.

The five lakhs were recovered, with the trifling exception of some three hundred rupees, and the four thousand Sikhs are now in irons, " *my mehnut*," as our correspondent terms it—in other words, they are busily, if *not zealously*, employed constructing a specious fosse round the fortress of Mooltan Khas.

Jeet Singh, *Sindhawala*, had gone towards Umbullah on the 31st ultimo, and his brothers, Lena Singh and Jumeet Singh, have fled towards Roopur. They have all three been ruined; their large possessions have been confiscated by Sher Singh.

Mahtab Singh, the elder of Sher Singh's two sons, (a youth of fifteen years,) and described as an exceedingly fine lad, is about to be married. The name of his sable fair one is not mentioned. There is a report that Capt. Broadfoot, with the Kafilah for Shah Shooja, has been prevented by the Sikhs from marching beyond the third stage from Ferozpoor.

We heartily trust this may be the case, for for it would supply a good cause of quarrel. We shall, however, no doubt, be able to supply our readers with *positive* intelligence on this point in a day or two.

COMMERCIAL ADVERTISER, APRIL 16.

The *Brigand* and the farce of *The gentleman in Black* were performed at the New Theatre on Wednesday night last, before a large and highly respectable audience. The Governor General, and Commander-in-Chief and many families and individuals belonging to the elite of Calcutta Society honored the amateurs with their presence. The Brigand was the first piece in the order of representation; and, although some of the less important characters were in the hands of a few old favorite performers, their efforts, successful as they were, could not save the piece from, very nearly, total failure. *Nicolo* the Steward by *Bob Acres* was played with all the quaintness of humour, for which that amateur is so remarkable. His is a style of acting which must be seen to be appreciated, but cannot be very readily described. Prince Bianchi was in the hands of *Master Modust*, and we consider this the best performed character of the whole; it was correctly conceived, and delineated with truth, spirit and feeling. But, as just critics, we are constrained to confess, that we were very greatly disappointed in *Massaroni* the *Brigand*. This Gentleman would seem to have some good ideas of the stage; but he appears not to possess the faculty to carry them into execution. His reading of the part was deplorable. In the scene where he discovers his mother's portrait in the Governor's castle,—a scene in which we wanted feeling and pathos, we we found nothing but noise and rant; and in several other passages where we expected passion or playfulness, there was mere dull vapid monotony of voice and manner. There is, moreover, a ruinous defect in the amateur's performance, which must be felt in whatever line of character he may represent, and this consists in his losing himself in delivering the chief points which make up the charm of the characters entrusted to him. In the last verse of his song, for instances, this was lamentably apparent. At the point when he should have sung:—

" 'Tis Massasoni himself who new sings,"

he employed some other words, and then bought in the text so clumsily as to completely destroy the effect intended by the author.

We have generally observed, that at the close of this song there is a degree of playfulness assumed by *Massaroni* in order to re-assure *Ottovia* who betrays signs of wonder and alarm at the sudden disclosure of the robber in disguise; and this makes way for the dialogue which follows. But our *Massaroni* of last Wednesday glared and frowned at *Ottovia* most frightful ly at this juncture, and then strutted away very tragically to put down the guitar which he had held convulsively in his grasp all the while he was singing. His conduct was thus calculated to excite *Ottovia's* fears, and confirm her suspicions; and she was obliged to smother her excited feelings, as best she could, and to talk in perfect composure of *Massaroni's* excellent qualities! This was an unexcusable misconception of the part. The figure and walk of this amateur are also against him. We have been accustomed to find grace and proportion in the representatives of the *Brigand*, and were disappointed to see a heavy, clumsy, round figure, rolling about the stage. After seeing this gentleman in various parts, we should say decidedly that his *forte* consists in sailors or jolly old gentlemen, and to that we would recommend the manager to confine him. His ttagedy is too heavy, ill conceived; his *light* comedy *rather heavy*.

The after piece is easily disposed of. It is a sprightly farce and depends entirely for a favorable reception on lively, spirited acting; and the success with which it was attended was attributable chiefly to the efforts of *Peter Punctilio* and *Frank Forage*.—We like our old tried friends best after all. We would however offer one suggestion to the manager, which is, that if the *Gentleman in Black* be repeated, he would do well to strike out those passages which, having an equivocal signification, is just likely to offend against modesty. We do this, supported by the pledge he made to the public at the dramatic dinner which preceded the opening of the Theatre, namely, that nothing should be represented that was in the least degree exceptionable. He had better take care or he will have the *Courier* flinging its anathemas at his devoted head.

ENGLISMAN, APRIL 16

At a time when public attention is directed to the state of affairs in the Punjab and our relations with that country constitute a matter of anxiety, the following extract of a letter from Rotas my not be altogether without interest, at least as regards the final lines:—

' Sick of the idle life at Cabool and longing for the comforts and enjoyment of those happy hours once more which have been for the last 3 or 4 years of such rare occurrence. I have asked for and obtained leave of absence for a short time. I hope to be with you soon. At Jellalabad. I was arrested in my progress by the reports, and indeed by *official* information, that it was unsafe to travel through the Poujab at present. However here I am progressing without much inconvenience towards Kurnaul, &c- and probably shall reach Ferozepore about the 2d of April, I am now at Rotas, shall travel by dak from the former place to avoid the heat. *Allro quiet* in the Punjab, and the people high and low, are Civility itself to Europeans.

We have shown, as far as the degree of proof is generally available in newspaper discussion—which must in some part bear, in the public eye, the character of anonymous—as far as such proof *can* show, and we feel certain it cannot be refuted, that the provisions sent from this place with the expedition, were of an excellent quality, and that no painsnor expences were spared to insure that great object. None of the accusing party *here* are able to show that this was not the case, but attempts are made to establish, a facts, that those originally good provisions became bad; during the voyage, andr hat they were nevertheless kept in rations due for the troops at Chusan,—a charge of heavy delinquency which, being proved, would effect even the Government itself, unless they could show that their trusted officers at Chiusan deceived them. On this point, then, we at once admit that Major Hawkins, the Deputy Commissary General with the force, must stand or fall, and we have no hesitation in putting his character upon the cast. We are enabled to give extracts from various letters, some formally, and all essentially, official to more than one party in Calcutta, and at many period of this throught the service; and although the other side may effect to hold these documents as only the assertions of an accused man for his own clearance, yet we beg of them to remember that he he was then neither under, nor anticipative of, accusal that he was merely sending in accounts of his department ;uat as other heads of offices, and commanders themselves, did and that it is but reasonable to at all events begin by assuming the correctness and integrity of official statements, as it is not the practice of *British* officers to falslfy them, and as they are good evidence in such matters (we no not mean strict legal evidence) until this countrary is shown:—

Singapore, Mya 29th 1841.—' I am happy to, be able to state that no complaints of any description have reached me, and from the enquires I have made, I have reason to believe that the provisions of every kind have hitherto proved unexceptionable.

Macao, June 22nd 1841.—' It will be satisfactory for you to learn that up to this period not single complaint has reached me, and from the enquiries I take every opportunity of making, I have reason to believe that the stock up to this period has been found unexceptionable.'

Chusan, July 7th 1841.—' I am happy to say, that up to this period every articles of Commisst. supply sent from the Presidencies has proved unexceptionable.'

Chusan Sept. 22nd 1840.—' I have recently examined and filled up with fresh Pickle every cask of Salt provisions in Store, and am happy to report that of the whole in Store, nine casks of Pork only were found unfit for issue. The meat was all sweet but many casks of inferior quality, few however have been rejected and condemned, since the expedition sailed. The Biscuit has been tolerably good hitherto, but is becoming weavily, with the exception of that recently arrived, in the *Chrissa, Clifton Hooghly Asia Felix* which continues good, and is equal to six months consumption. The Flour likewise for the most part continues excellent (that recently arrived by the *Tomatia* I have not yet examined.) and all the other Stores with exception to those of a very perishable nature as Churah, Suet, Tomatnds. are also in good order. Fresh provisions since our occupation of Chusan, have been very scarce and are becoming every day more difficult to procure, even Pigs are not now to be found without close search; still I have up to this period been able to supply fresh Beef or Pork sometimes twice, always once a week to our European Troops, besides having provided a number of Bullocks for the Navy; and to the Hospitals I have given as many fowls and kids as they indented for i. e. from 20 to 30 to each daily."

Chusan, Oct. 17th 1840.—' The provisions from Calcutta, have all kept very well considering, and if the Flour and Biscuit become very must I have a large Store of Wheat ready for grinding. Of the Salt Meat spoiling, in a cold climate, and abundance of salt to prepare brine, I have no fear, so there is no danger of the European portion of the force requiring provision of one kind or another during the next four months.'

Memo.—On the 8th of Nov. the Troops were put on fresh Meat, 3 days in every week, instead of two, as before.

Nov. 15th. Another day fresh Meat added, making four weekly.

Nov. 18th. Fresh Meat only, to be issued. Beef six days, and pork one day weekly.

Chusan Dec. 15th 1840.—' Since my last report I have served out fresh Meat daily to the European Troops, and I trust, as long as the truce lasts to be able to continue to do so. Most of the stores continue on a serviceable condition with exception to Flour and Biscuit. A reference to my depot return with Survey report annexed. will shew the quality of these articles that have been condemned.

[Memo—Here is the first notice of these articles beginning to fail. On the 15th of December, and it is surprising only, that they kept good so long. The worst part of the sickness too was then, we think, nearly over —ED.]

(*Continued, from same letter of 15th Dec.* 1840.)—' I hope to be able to grind sufficient wheat to replace the flour, I have now eleven large Mills at work daily, drawn by Bullocks, and have for the last fortnight supplied the Volunteers with atta.'

Chusan, jan. 11th 1841.—It will be observed that Flour and Rum are running short of the former I am grinding large quantities and expect to be able to continue issuing bread daily to the Troops, during the stay of the force at Chusan. The remainders of the provision continue good, except the biscuit, which is becoming weavily, and will not be fit for issue many months longer. (Very odd if it were I nearly a year old!—ED.) yet I do, not look forward to any scarcity of this article, the Blundell, and other store vessels detained during the strength of the Moonsoon at Macao, having, I believe abundance on board. Fresh Beef continues to be daily issued to the Troops. and fresh provisions generally such has Beef, pork, Poultry, Vegetables and Eggs, are at present both abundant, and cheap.

Chusan, Jan. 19th 1841.—The Tinghae market is still well supplied with fresh provisions, such as fish, flesh, fowls and vegetables, and I continue to issue fresh Beef daily to the Troops.'

Chusan, Feb. 9th 1841.—' I am happy to be able to state that since my last report fresh Beef has been issued every day to the troops, and will continue to be so during their stay on the Island. The markets have likewise been abundantly supplied with fowls, eggs, vegetables and China bread, and no troops could, in fact, be better provisioned than those on the Island have been since I last wrote.'

Now we ask every candid reader whether these statements do not sufficiently prove, first, that the supplies, with the comparatively trifling exceptions fairly noted, kept in good condition all the time; secondly, that no bad stores were issued to the troops; thirdly, that when the 18th Irish solicited a continuance of the salted rations, t could *not* have been because they preferred them to bad fresh pork, for that fresh beef, vegetables, kids, and poultry, were served out, and were not scarce neither; and lastly that *no complaints* were made, or if there was any grumbling it never reached the Commissariat, for (besides the above proofs) in a private letter to a friend here Major Hawkins says:—' I have not heard a single complaint against the department since I joined the expedition, and if any have been made they have not reached my ears,'—and no one who is acquainted with the Major's straight-forward, honest character, will for a moment doubt the truth of the assertion. To complete our chain of proofs on this head, we have only to mention that though Payne and Co. did not send their own people on to Singapore to inspect the meat, &c. there, yet the Commissariat sent an establishment of their own for that purpose, which establishment consisted of twelve Coopers, and two Brine Picklers—all experienced men—with a large quantity of salt; and Captain Ramsay, the excellent Commissariat officer, stationed there for the purposes of the expedition, was instructed to have all the salt meat, as it reached his depot, carefully examined, and the casks filled up with fresh pickle; and on this subject he writes as follows, under date the 1st of August 1840:—' I have the honor to report, for your information, that the re-pickling of the whole of the salt provisions in this depot has been completed;' and then he furnishes a memorandum showing that out of 1870 shogsheads and tierces, only 12 of pork and 5 of beef—that is, not *one per cent*, after the meat had been up wards of six months in cask—were found bad and thrown away. And now we feel entitled to call on the opposite side to shew either that the meat was bad when it left this, or that any bad supplies were served out, or that there was any scarcity whatever of good provisions, or lastly that, under any view of the case, the *provisions* occasioned the sickness among the troops. It pleases the *Hurkaru*, in publishing two letters, written in very *insinuating* language, and apparently from no very candid quarters, to say that we have taken up this question in a spirit of partisanship. If to *defend*, after convincing ourselves that the accused side is wrongfully accused; or if to *attack*, when convinced that the public conduct of the parties we call before the public is faulty, be to act in a spirit of partisanship, to this extent do we act in such spirit on the present occasion, and by this extent do we mean always to act while one portion of the press is under our control. There is little necessity for our answering such snarling charges as are made by the *Hurkaru's* correspondents, who give nothing tangible in their statements; but in regard to the packing of the biscuit in gunny bags, perhaps the person who signs himself A., and stops short at that initial, will inform the public how or where *casks* could have been procured for about twelve thousand maunds of biscuit which, allowing even two-maund casks, would have required six thousand of them. It was difficult enough to procure them for the *flour*, for which they are indispensible, but not only was it found impracticable to obtain them for such a large supply of biscuit, but experience has not shown them to be indispensible for that article, which are frequently packed in bags, even in England, for board ship use, and which in the present case were not the cause of any detriment or inconvenience to the troops, as *bread* was so abundant, and as plenty of the biscuit kept good the whole of the time—and we have ourselves eaten of some which were sent back with the invalids, and which are in capital order still.

We shall not further discuss the question of whether a court-martial is a court of record, beyond just taking from our evening contemporary's rejoinder to our last argument, the proposition on which he relies for settling what *is* a court of record, and by that we are willing to be concluded. It is this:—Chief Justices Holt and Cooke have ruled that ' those who have a power to fine and imprison, *of necessity* are judges of record, and their court a court of record,'—and we contend that a court-martial has *not* this power. Its award, as far as the court's own power is concerned, is a perfect nullity. It is wholly inoperative; and not only can the court pursue no measures whatsoever consequent on its award, but it has ceased to be in existence at all before its award is executed, even when it happens that the controlling power permits its execution; and if it should happen that in a confirmed case of death or transportation, some subsequent facts should come forth to warrant a staying of the execution, the court having been dissolved, there is neither a tribunal *nor a record* which could be appealed to, nor even a judge's notes. What are called the original proceedings are not authenticated (the sentence alone being so) for any legal use, and our contemporary errs in saying that the Judge Advocate General keeps them as the ' court's officer,' which he is not at all, and *most likely* has not even been present at the trial. *He* could not prove their authenticity, nor could *any* legal force whatever be given to them, in a trial for perjury, because they are not *records* such as the law intends by the documents enrolled as such in a court of record. The court of Queen's Bench has power not only to *decree* fine and imprisonment, in many cases summarily, but to enforce—to execute—its decree to that effect, beyond the power of any other authority to interfere with its process; but the operation of a court martial judgment—even after full judicial enquiry—depends on the fiat of one who has no judicial connexion whatever with the court, and a stroke of whose pen renders that judgment a nullity. He only cannot substitute or add any punishment, or mode of execution, for or to what the court may specify, because a power of that description would make a commander-in-chief despotic; but it evaporates before a breath of his disapproval, and as to fine or imprisonment for contempts, it has not even the shadow of such power or authority. As we have made special mention that a commander-in-chief cannot execute a sentence in any manner not authorised by its terms, we may mention an instance where he has done so with total illegality, and that is by his imprisonment of Ensign Forbes in the Fortress of Agra, from which *no doubt* a ' habeas corpus' would free the prisoner, and *for* which he might certainly have his action against His Excellency. The same, as we have always contended, is good as regards the imprisonment of certain soldiers.

MADRAS.

HERALD, APRIL 17.

The gathering at the College on Wednesday morning, to witness the opening of the Madras University was, we understand, exceedingly numerous. Besides the Governor and his suite, Nabob, and a large majority of the civil and Military functionaries of the presidency, there was a crowd of natives of all ranks and degrees. Indeed the latter mustered so strongly that many were unable to obtain admittance into the interior of the building, and were obliged to take up their quarters in the compound. The proceedings of the day commenced by an address from Lord Elphinstone, after which the fundamental rules of the institution and a report were read by the Secretary, and Mr. Norton the Advocate General, delivered a very eloquent speech. At the termination of these services, the meeting broke up, and the students repaired to the place provided for their reception in the Pantheon Road, formerly known as the Police Office.

The Criminal Sessions for the current quarter commenced yesterday at the usual hour, and a considerable portion of the business thereof was disposed of in the course of the day. The Grand Jury returned a true bill against the Begum for another indictment of murder. The discussion of the points of law in the case of this lady is fixed for this morning, when we expect there will be some fine specimens of legal ingenuity exhibited

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* No,—nor that *does*.—PRINTER'S DEVIL.

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We would recommend such of our presidency readers as can afford the time, to look in at the Court house, for we are sure that if they do so they will be highly entertained with what they see and hear. The case (No. 2, in the calendar) for petty larceny was quickly disposed of, the prisoner pleading guilty, and in that for stabbing, Charles McKenzie was found guilty on the second count for wounding with intent to do some grievous bodily harm, but recommended to mercy, and James Carter was acquitted. To the three cases entered in the calendar, three others have been added, *viz.* two for petty larceny and one for perjury. The first of the larceny cases was tried yesterday, and the party found guilty; the second being against the same individual was not in custody at the rising of the Court yesterday; a bench warrant is out against him, but it is of course uncertain whether his apprehension will be effected in time to allow of his being tried at the present sessions. Two native prisoners confined in the Police gaol were directed to be brought up on a *habeas corpus* this day. The Grand Jury having completed their task yesterday, were thanked for their services and discharged. The Petty Jury were directed to attend on Monday, to dispose of any business that may stand over till then.

SPECTATOR, APRIL 17.

The Government Express with the Overland despatches of 4th March, reached the Presidency at 8 P. M. on Thursday evening, but no papers or letters have yet been received. It is needless to detail the brief items of Home Intelligence which have yet reached the Presidency as the *London Mail*, will still earlier convey them direct to our Mofussil Subscribers.

The despatches just received by the March Overland, contain, we are told, Lord ELPHINSTONE's confirmation in the Governorship of this Presidency, for an additional period of three years. We have the report on good authority, but if correct it will of course receive an early official confirmation.

We are sorry to learn that the result of the survey of the proposed Breakwater at Mount Delly, on the Malabar coast, is by no means so favourable as might from the first representations have been expected, or as in fact it *ought* to have been, had not those representations been in some degree fallacious and too fancifully coloured. The original plan in fact from its affording no egress to vessels is *impracticable*, and from what we can learn the only way to remedy this evil would be not only to throw out a long pier from the shore, extending above 200 yards from the headland, but also to construct another insulated pier more to the south, egress being afforded to vessels in southerly gales between the two. The enormous expense attending upon a breakwater of this magnitude effectually precludes the idea of putting it in execution, but there seems a practicability of affording more limited shelter to steamers, by a small artificial harbour or basin which may be formed with comparative ease in the interior of the Bay. To this very limited but still useful plan, we presume attention will next be directed.

We observe by last night's *Gazette*, that Captain HUMFFREYS has been removed from this Army by order of the Court of Directors—this promotes Brevet Captain DOWN to a troop and Cornet POLLOCK to a Lieutenancy.

We have heard it mentioned that a requisition has been made to the Madras Government for two Regiments for service in Scinde, and that it has been stated in reply, that there was no available force in this Presidency for that purpose. In returning such an answer, literally borne out as it is by facts, our Government will have acted with becoming spirit, as it would incur a fearful responsibility by continuing to denude our territories of troops, and the Home Government cannot too soon be made aware of the imperative necessity of such augmentation, as shall render the Indian Army equivalent to the due performance of its greatly extended duties.

The 2d Regiment N. I. were reviewed on the Island by Brigadier NAPIER, on Wednesday evening. This fine Corps went through their various evolutions with much correctness and precision, and appeared in the most perfect and efficient condition.

The hour appointed (½ past 5) for the review to commence was rather too late as the evening was fast closing in before the manœuvres began; the following however were performed after the Manual and Platoon.

1. Form column at quarter distance in rear of the Light Company.
2. Wheel to the right.
3. Form line on the right centre Company; open fire from centre to flank.
4. Form square on two centre Sub-divisions, prepare for Cavalry front ranks kneeling, fire from the faces fronting the supposed body of Cavalry.
5. Reform line.
6. Advance and charge, fire a volley and port arms; General Salute.

The Regiment appears to be a well drilled and effective Corps, in the highest order in all points, and fit for any immediate service. The men on and off duty are remarked for their Soldierlike appearance. Sir R. DICK we understand expressed himself much pleased with the Old Second, and remarked that they stood better under arms than any Native Corps he had seen.

BURMAH.

MAULMAIN CHRONICLE, MARCH 17.

We are sorry to learn that the small-pox has again, after a lapse of about three years made its appearance in this place. We several days ago heard that it was prevailing much at Rangoon. The European residents here are aware, we presume, of the want of success which has hitherto attended every attempt to introduce and perpetuate vaccination, and we would suggest to families whether it would not be advisable to have their children inoculated. The practice is adopted by several families whom we know, and we have understood that in all instances the disease has appeared in their children in the mildest form.

On Monday last, while a gang of convicts were at work at O-bo, seven Malays who were of the number, assisted by a Malay peon, attempted to make their escape. The alarm being given a pursuit took place, by the Jail peons, tindals, and even some Bengallee convicts in fetters, and four of the run-aways were apprehended. In the conflict a Bengallee had his arm cut off by the Malay peon and bled to death, another lost two fingers and a thumb and was otherwise severely cut about the head, and a third had his right hand nearly cut through. The attempt seems to have been the result of a preconcerted plan, for the Malay peon had knives and Burmese dahs concealed near the spot, with which he armed his convict countrymen. He, however, is reported to have been the only one who used his weapon with effect. The fellow fought with courage, cutting down every one who attempted to approach him, and finally succeeded in escaping with three, out of the seven of his countrymen. Of the four who were seized, one has died of his wounds. Active measures have been adopted for the apprehension of the runaways, which it is hoped, will be successful. These convicts were pirates sentenced to transportation for life.

It is reported that the French agent from Bourbon, M. Sicre, has been favourably received at the Court of Ava, and has obtained the privilege of exporting grain to that Island. For our part, we shall be heartily glad to know certainly that his attempt has been successful, as it may possibly ere long open the eyes of his Burmese Majesty to the fact that the more he encourages agriculture and commerce, the more he will promote industry among his subjects and increase the revenues and prosperity of his kingdom. The exportation of grain from Rangoon to the Island of Bombon may have the effect of convincing him that a demand for agricultural productions will tend rather to increase than diminish the supply, a fact of which his predecessors and himself appear hitherto to have been profoundly ignorant.

We have been informed that Mr. Crisp an old resident merchant at Rangoon, was rather roughly handled a few days since at Pyapoon, while on his return from Bassein, where he had been for the purpose of ascertaining the practicability of purchasing timber. It appears that the cock-swain of his cock-boat, discharged a fowling piece, loaded with small shot, at a paddy-bird, and one of the shot unfortunately hit the arm of a little girl. The Tuoo-gyee of the village near which the circumstance occured, immediately hastened with two boats to Mr. Crisp, who had shortly after anchored, to inform him of what had happened, and to seek redress. The party returned to the spot, and on examining the girl, found only a slight scratch near her elbow, scarcely deeper than the skin. The cock-swain was seized and carried off to Pyapoon about nine miles, his arms pinioned behind him. Mr. Crisp was detained forcibly during the night, and in the morning was required to follow his cock swain, which on refusing he was seized by the hair of his head, bound and with all his baggage, carried forcibly to Pya-poon. The cock-swain was fined fourteen and a half rupees, and put into confinement, and Mr. Crisp detained two days. The above are the circumstances of the case as they have been stated to us. The cock-swain was justly liable to the fine imposed upon him for his imprudence, and this is the only appearance of justice we can perceive on the part of the Burmese during the whole proceeding.

SYDNEY.

The subjoined intelligence from the *Sdyney Herald* of the 28th ult., may be interesting to some of our readers:—

Supposed Outrage by the Blacks.—We call the particular attention of parties who have friends and relatives in the neighbourhood of Port Phillip, to the following letter from a station at Gipps Land or South Caledonia, the country that lies between cape Howe and Port Phillip. It appears quite clear that murder has been committed, and perhaps the publication of the list of property found may assist in identifying the murdered party. The letter was placed in our possession several days since, but was unfortunately mislaid:—

"November 15.—Started from our station, to discover a road to the coast with the view of running along the Long Beach to Shoal inlet, thence to corner inlet;—same evening, came upon the camp of twenty-five black natives, chiefly women, who all ran away on our near approach, leaving every thing they had behind them excepting some of their spears. We then searched their camp, where we found European articles as underneath described, viz:—Several check-shirts, cord and moleskin trousers, all besmeared with human blood; one German frock, two pea-jackets, new brown Macintosh cloak, also stained with blood; several pieces of women's wearing apparel, namely, prints, and merinos; a large lock of brown hair, evidently that of a European woman, one child's white frock with brown velvet band, five hand towels, one of which was marked R. Jamieson, No. 12, one blue silk purse, silver tassels and slides, containing seven shillings and sixpence British money, one woman's thimble, two large parcels of silk sewing thread, various colours, 10 new English blankets perfectly clean, shoemakers awls, bees' wax, blacksmith's pincers and cold chisel, one bridle bit, which had been recently used, as the grass was quite fresh on it; the tube of a thermometer, broken looking glass, bottles of all descriptions, two of which had caster oil in them, one sealskin cap, one musket and some shot, one broad tomahawk, some London, Glasgow, and Aberdeen newspapers, printed in 1837 and 1838. One pewter two gallon measure, one ditto hand basin, one large tin camp kettle, two children's copy books, one bible printed in Edinburgh June 1831, one set of the National Loan Fund regulations respecting policies of Life insurance, and blank forms of medical man's certificate for effecting the same. Enclosed in three kangaroo skin bags we found the dead body of a male child about two years old, which Dr. Arbuckle carefully examined professionally, and discovered beyond doubt its being of European parents; parts of the skin were perfectly white, not being in the least discoloured. We observed the men with shipped spears driving before them the women, one of whom we noticed constantly looking behind her, at us, a circumstance which did not strike us much at the time, but on examining the marks and figures about the largest of the native huts we were immediately impressed with the belief that that unfortunate female is a European—a captive of these ruthless savages. The blacks having come across us the next day in numbers, and our party being composed of four only, we most reluctantly deemed it necessary to return to the station without being enabled to accomplish our object. This was the more painful to our feelings, as we have no doubt whatever but a dreadful massere of Europeans, men, women and children, has been perpetrated by the aborigines in the immediate vicinity of the spot, whence we were forced to return without being enabled to throw more light on this melancholy catastrophe, than what I have detailed above.

"AUGUSTUS M'MILLAN.

[The clue to the foregoing mystery is doubtless to be found in the robbery of Mr. Jamieson's station at Western Port, which must have occurred very shortly before the date of Mr. M'Millan's excursion. The European dead child and living woman, are we suspect mere creatures of the imagination.—ED. P. P. PATRIOT.]

The following is the translation of an advertisement inserted in one of the Valparaiso papers lately come to hand. We recommend it to the notice of our readers. The average passage by sailing vessels between Sydney and Valparaiso is at present ninety-five days. The quickest passage on record is, we believe eighty-two, and the longest one hundred and thirty days. If steam communication can be set on foot between the two places, the voyage can be easily achieved in thirty-five days, being a saving of considerably more than one-half of the time consumed by the most rapid passage hitherto made. There is no evidence to show that no deficiency of coals need be apprehended, as they are abundantly to be found near Valparaiso in two convenient localities. If the plan alluded to by Messrs. Naylor, Bordman and Co. can be effected, it must produce great advantages to this colony:—"Valparaiso, 25th September, 1840.—The undersigned, agents, at Valparaiso, of a company formed in London for the navigation of steam vessels on the coast of the Pacific, beg leave to inform the public, that of the 1000 shares of £50 each offered for disposal by the company in the republics of Chili, Peru, and Bolivia, they have on sale 350 shares, which constitute the proportion alloted for Chili. Those who wish to take a part in such a useful undertaking, can apply to the undersigned in this port, and to M. George Beecroft, in Santeago. These individuals can supply the requisite information, and give every advice as to the advantages which may be reasonably anticipated. The benefits which will recult South America by the establishment of steam navigation in the Pacific are evident. To Chili in particular, they must be very considerable, in consequence of Valparaiso being the situation from which diverges all the commerce along the northern coast. A measure is under consideration for the establishment alone of navigation by steam vessels between Australia and Chili and the favourable result arrived at by the South American Society will doubtless be a stimulus towards carrying into effect the proposed undertaking. The extent of the advantages accruing to Chili, by facilitating the communication with Australia, and by the same medium with India and China, may be easily calculated.—Chili can supply Australia with many of the agricultural products of which she stands in need and it is well known that the metallic productions with which Chili abounds are scarce to be found in other countries. Signed, Naylor Bordman & Co.—*Australian*

European Intelligence.

LORD CARDIGAN'S TRIAL.

IT is hard to decide whether the conduct of the Prosecution in this case, of the Defence, or of the Court, has been most equivocal.

The Attorney-General began by protesting that "he was rejoiced to think that the charge against the noble prisoner at the bar did not imply any degree of moral turpitude; and that if he should be found guilty, the conviction would reflect no discredit on the illustrious order to which he belonged." After stating the law of the case, and laying before the Court an outline of the facts he intended to prove, Sir JOHN declared, "he should offer no evidence—indeed he could offer no evidence—as to the quarrel out of which this duel had sprung": taking care to add, that "he acquitted the noble lord of any thing unfair in the course of the duel"; that "he did not suppose there was any grudge, personal animosity, rancour, or malignity against Captain Tuckett, in the breast of the noble earl"; and that "he had no doubt that upon this occasion the noble earl only complied with what he thought necessary to the usages of society." In short, the manager of the prosecution took care at the very outset to convince the judges, that the Earl of CARDIGAN was put upon his trial for a mere technical violation of the law more out of respect to forms than for any serious offence. He at the same time restricted the range of inquiry within the narrowest possible limits; taking care to prevent any aggravating circumstances in the conduct of the accused to appear—although, the crime charged being of that class in which the judge possesses the power of increasing or diminishing the punishment within a limited range, such circumstances were essentials of the case; and thus laid himself more open to be defeated upon some narrow technical objection. The suspicions of collusion on the part of the Prosecution, arising out of this preamble, are rather strengthened than diminished by the subsequent proceedings. Sir JOHN CAMPBELL has the reputation of being not only a sound, but what the Scotch call a loopy lawyer; and Mr. Vizard, who had the getting-up of the case, is a sagacious and experienced man of business. If any knowledge confined to the practitioners in the criminal courts were necessary, the Crown Lawyers could have commanded any assistance they pleased. Yet, when the counsel for the defence urged objections to evidence which must have been foreseen, the prosecution was, or pretended to be, unable to supply the deficiency. And lastly, when Sir William Follett objected to the validity of Captain Tuckett's card as evidence, and argued upon decisions, Sir John Campbell, an experienced lawyer, knowing that the opinion of Lord Denman would guide the Lords, instead of meeting Sir William's argument talked about "inferences that would be drawn by reasonable beings out of court." From beginning to end, the conduct of the Prosecution shows a predetermination to allow the accused to escape; and the sham fight was not even kept up with sufficient appearance of earnestness to deceive the by-standers.

The conduct of the Defence was, under such circumstances, no very difficult task. But the counsel for the defendant went beyond their brief, and indulged in certain Old Bailey practices; which, as quite unnecessary, were in bad taste, to say nothing of their morality. For example, Sir William Follett, finding in a memorandum of Dann the miller, a note of the number of miles he had travelled on the business, remarked, "You seem to have gone about a great deal after this affair"; and followed up the innuendo subsequently by very pressing inquiries as to whether he had been paid his charges. Sergeant WRANGHAM'S cross-examination of the miller's son—a boy of fourteen—closely resembles the account of a parallel process in the *Pickwick Papers*. For example: "Do you then mean to say, you could at the instant distinguish who the parties were that were kneeling?"—"I could see who they were." That is distinguishing, is it not?"—"Yes. (*A laugh.*)" And when the boy attempted to show the learned Sergeant that he had misapprehended one of his answers—"Oh, explain your answers in any way you like, *Sir*." The same system was pursued with Mrs. Dann; who was pestered with such question as—"All the gentlemen, then, had *red faces*, had they?"—"Who has been telling this story? who has been examining you?" and with a silly laugh raised against her when she said, "I can see better on the common—*where I am more practised*."—the fact that she could see better on the open common than in the dim Painted Chamber being apparent, whatever might be her expertness or awkwardness in explaining the circumstance. This attempt to shield the accused by browbeating honest witnesses, and insinuating charges against their veracity, is common enough at the Old Bailey, but we should have expected more regard for right feeling among the aristocracy of England, than to permit such vulgar licence to counsel at the bar of the High Court of Parliament.

And now as to the Court itself. Notwithstanding the care of the Prosecution to withhold evidence, and of the Defence to divert attention from what could not be withheld, the following facts were established. Mrs. Dann saw two gentlemen kneel and load pistols, then rise, stand back to back, walk as under some paces each, place other two at the points thus fixed, but pistols in their hands, stand aside till they fired at each other, give them fresh pistols, and stand aside till they fired again. Mr. Dann saw the combatants stationed; saw fire both times; never lost sight of them till he reached the ground; when he saw one gentleman wounded, and took the pistol from the hand of another, that other being one of these who fired, and also Lord Cardigan, the prisoner at the bar. Sebastian Dann saw the kneeling of the second, the firing of the principals, and the wounded gentleman with a great deal of blood on the ground. There cannot exist a doubt that Lord Cardigan discharged two pistols at some individual, and wounded him the second time; it having been also proved that he said to the Inspector of Police—"I have been fighting a duel, and have hit my man." Then as to the identity of the wounded antagonist of Lord Cardigan. Dann allowed him to go home with his surgeon, upon giving his address; that address was "Captain Harvey Tuckett, 13, Hamilton Place, New Road." Dann called there three times; and each time, on asking for Captain Tuckett, was ushered into the wounded gentleman who gave him the address; and on one occasion that gentleman sent a note by Dann to the Magistrates, which he signed with the name "Tuckett." Mr. Walthen gave evidence to the effect that a gentleman of the name of Harvey Tuckett had rented business chambers from him for upwards of a year, who gave his card of reference "Captain Harvey Tuckett, 13, Hamilton Place; and that he had sent a hamper to the gentleman by that address. It was proved that the Earl of Cardigan deliberately discharged two pistols at a person of the name of Captain Harvey Tuckett, and wounded him. This was the charge against the Earl,—a charge which, as stated by the prosecution, admitted by the Court, and not questioned by the defence, if proved rendered, him liable to punishment. The counsel for the accused objected to the production of the card; it was proved without the card that the wounded man gave the name and place of residence above mentioned, that he was repeatedly seen there during his convalescence, and that a person of that name and title resided there. If there were anything extenuating in the circumstances out of which the duel arose, that was a portion of the defence. The criminal act was proved, and brought home to the Earl of Cardigan. And yet the members of the House of Peers, the conservators of the piety, morality, and law of the empire, after commencing their proceeding with a solemn appeal to the Deity, rose up one by one when called upon, and each in succession, placing his right hand upon his breast, said, "Not guilty, upon my honour." Alas for the honour of the British nobility! it is much upon a par with the sincerity of the fiery knights, who in the First Part of Shaksapeare's *Richard the Second* thrust the lie down each other's throats.*

The conduct of the Prosecution, Defence, Judges, have all the appearance of being parts in a common conspiracy to defeat the ends of justice. The whole proceedings of the House of Lords suggest a predetermination to allow the accused to escape by some subterfuge or other. Viewed in this light, the Earl's appeal from the Judges of the land and Jury to his Peers, was an appeal from a tribunal in which an attempt would be made to discover the truth and punish the guilty, to a tribunal where, guilty or innocent, he thought he was safe.† The privilege of Peers to be tried by and to try each other, wears the aspect of an exemption from the penal law of the land: it seems to proclaim one law for the nobility and another for commoners.

If the mischief ended with now and then allowing a guilty Peer to escape the punishment incurred by his crimes, it would be comparatively venial: but the trifling and equivocating with solemn duties, in the late trial, is worse than that; for the House of Lords is a court into which any civil question may be carried by appeal. There is not a case, where there is a sufficient interest at stake to admit of the expense being incurred, but may come to be tried at last resort by the same judges who, after hearing the evidence recapitulated above, declared "upon their honour" that Lord Cardigan was not guilty. Nay, this same corporate body has the power, in its legislative capacity to prevent the passing of any legislative act that would alleviate or amend the evil. As judges, they have it in their power to twist the law as they please; as a legislative body, they have a veto upon all reforms; as the habitual associates of the Sovereign, they influence the Crown; as large landed proprietors, they decide the elections to the Commons. In them resides the real sovereignty of Great Britain. And their conduct at the trial of Lord Cardigan shows how loosely they wear the restraints of moral precept, and how little care they think it worth while to take to conceal their levity from public gaze. "Wasps break through the cobwebs in which flies are caught," and make a triumphant buzzing to call attention to the fact.

The question is between the Peers and the People: Lord Cardigan's share in it is scarcely worth a tie. To be sure, the Attorney-General was allowed to declare without contradiction, that the duel in which Lord Cardigan had been engaged, taking it, of course, with all its attendant circumstances—"did not imply any moral turpitude." This was a voluteer statement on the part of Sir John Campbell; there was no call upon him to make it and he made it well knowing the notorious facts of the case, although he did not choose to lead evidence regarding them. The declaration of the Law Officer of the Crown listened to in apparently approving silence by the Lords, amounts to this—A Peer may taunt and tyrannize over the officers of his regiment until one by one he disgusts the whole of them with their profession, and when one of them complains he may silence by shooting him; while a weaver, half-mad with suffering, must be severely punished, if, in imitation of the noble lord, he threatens to betake himself to "physical force." A Peer may shoot a man under the circumstances alluded to, while commoners (see the case of the duel between Elliot and Mirfin) are punished even for attending as seconds. The cases of the two Wimbledon duels are not so very different as might at first appear. In Elliot's case there is more rude blackguardism; in that of Lord Cardigan there is more cold envenomed despotism; but both are examples of an individual, confident in his own superior skill and courage, venturing to insult and outrage others. The Peers claim immunity for such of their number as thus abuse their power, and have thereby done more than enemies could do to weaken their influence. No man or class of men can with impunity outrage the moral sense of a nation. "A tisto ay," says the *Globe*, "is the element in which we live and breathe": if so, it is high time we were seeking to recruit our health by trying a purer atmosphere.

* From this censure the Duke of CLEVELAND, of all the Peers present, is alone exempted. In exquisite irony he declared, "Not guilty, my lords, upon my honour."

† The prisoner arraigned before our Common Law Courts claims to be tried "by God and his country": Lord CARDIGAN claimed to be tried "by his Peers." It sounds like a disclaimer alike of Divine and human jurisdiction.

‡ Some of their Lordships have protested against the doctrine since the above was in type: see POSTSCRIPT, for a brief notice of proceedings in the House of Lords last night.

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BY A. WILLARD.